

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 110
Conway, South Carolina 29526

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N 2006-3288-3IT

9 November 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), the South Carolina Coastal Zone Management Act (48-39-10 et. seq.) and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

TUCKER DIETER and EDWARD COLE
c/o THE EARTHWORKS GROUP
11661 HIGHWAY 707
MURRELLS INLET, SOUTH CAROLINA 29576

for a permit to construct a joint docking facility in the

WACCAMAW RIVER

adjacent to and west of the property line separating 251 and 255 Emerson Drive, Pawleys Island, Georgetown County, South Carolina (Latitude 33.43830° N, Longitude 79.18086° W).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 11 DECEMBER 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a bridged walkway, covered fixed pierhead, ramp, and floating dock with two boatlifts. In detail, the proposed work consists of constructing an 11' X 17' pierhead with a 216 square foot roof attached to an existing bulkhead by a 4' X 258' bridged walkway. In addition, a 10' X 56' floating dock will be attached to the fixed pierhead by a 3' X 16' ramp. Two boatlifts will be constructed landward of the floating dock, one north and one south of the proposed ramp. The purpose of the project is for joint private recreational use.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to any person that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be

addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 110
Conway, South Carolina 29526**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. This activity may also require evaluation for compliance with the S.C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S.C. Department of Health and Environmental Control. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended). Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

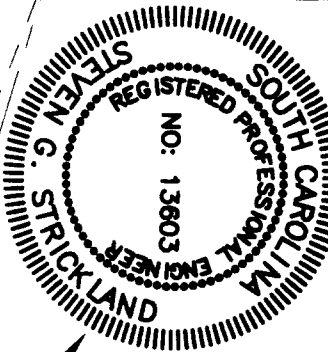
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Jay M. Thomas at 843-365-4316.



WACCAMAW RIVER

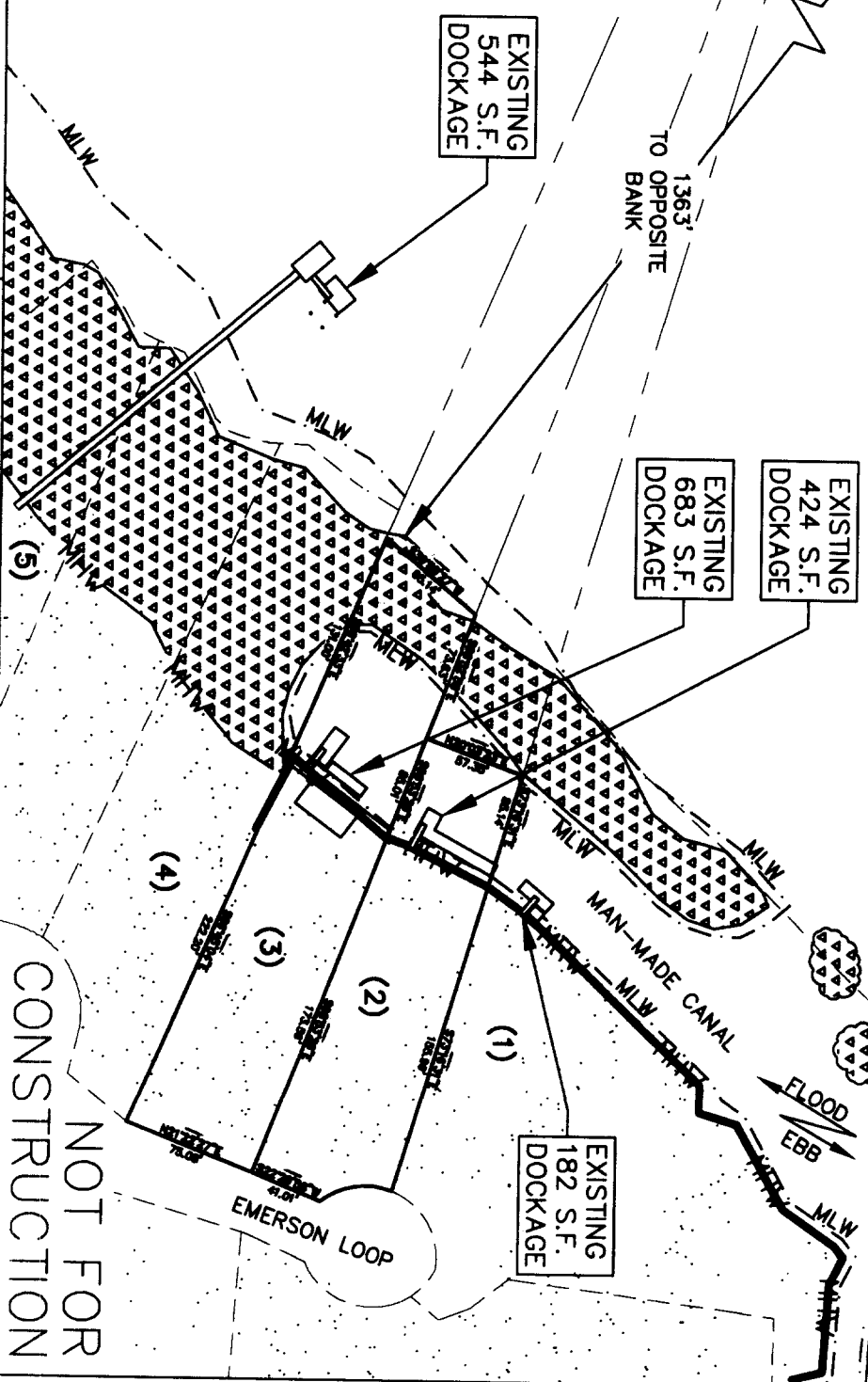


LEGEND:

- OBSTRUCTION TO NAVIGATION
- UPLANDS
- EXISTING BULKHEAD
- MLW

ADJACENT PROPERTY OWNERS

1. 04-0206-001-00-00
WILLIAM MARTIN
267 EMERSON LOOP
PAWLEYS ISLAND, SC 29665
2. 04-0206-002-00-00
TUCKER DIETER
265 EMERSON LOOP
PAWLEYS ISLAND, SC 29665
3. 04-0206-003-00-00
GAYLE & EDWARD COLE
251 EMERSON LOOP
PAWLEYS ISLAND, SC 29665
4. 04-0206-004-00-00
MARGARET TARBOK
P.O. BOX 537
PAWLEYS ISLAND, SC 29665
5. 04-0206-007-00-00
JANE CROWLEY
225 EMERSON LOOP
PAWLEYS ISLAND, SC 29665



NOT FOR CONSTRUCTION

Applicant: TUCKER DIETER/ EDWARD COLE

Project Title: DIETER JOINT DOCK APPLICATION

Project Location: 251 & 255 EMERSON DRIVE PAWLEYS ISLAND, GEORGETOWN COUNTY, SC

| Revisions | |
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| Date | Initials |
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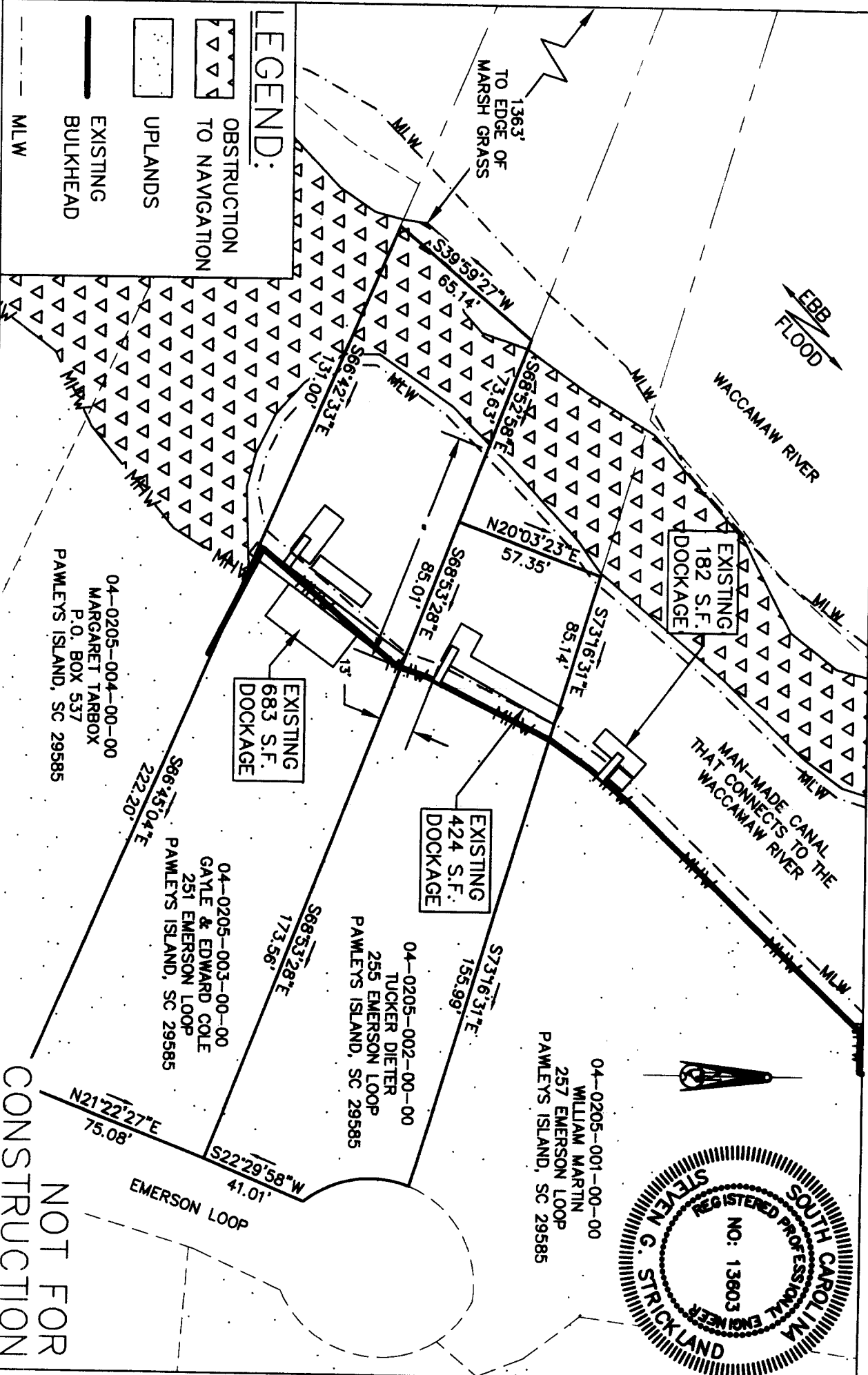
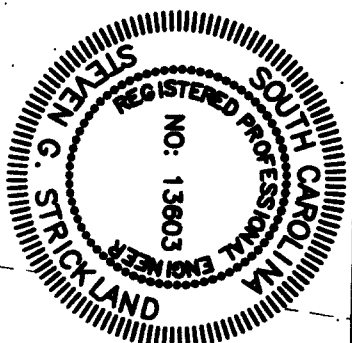
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Date : 08/02/06

Scale : 1" = 100'

Application # SAC 2006-3288-31T

Sheet 2 of 7



LEGEND:



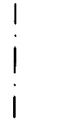
OBSTRUCTION
TO NAVIGATION



UPLANDS



EXISTING
BULKHEAD



MLW

Applicant: TUCKER DIETER/ EDWARD COLE

Project Title: DIETER JOINT DOCK APPLICATION

Project Location: 251 & 255 EMERSON DRIVE
PAWLEYS ISLAND, GEORGETOWN COUNTY, SC

| Revisions | |
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| Date | Initials |
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Sheet Title: EXISTING PLAN VIEW

Date: 08/02/06

Scale: 1" = 50'

Application #
54c & 2006-3288-3,1r

Sheet 3 of 7

NOT FOR
CONSTRUCTION



1021'
TO EDGE
OF MARSHGRASS

MOORING
PILES

PROPOSED
10' X 56'
(560 S.F.)
FLOATING
DOCK

PROPOSED
12' X 12'
(144 S.F.)
BOAT LIFT

PROPOSED
11' X 17'
COVERED
PIERHEAD
W/ 216 S.F.
ROOF

LEGEND:

OBSTRUCTION
TO NAVIGATION

UPLANDS

EXISTING
BULKHEAD

MLW

NOTES:

1. FLOATING DOCK WILL NOT REST ON THE BOTTOM DURING MLW
3. ROOF WILL BE CONSTRUCTED NO HIGHER THAN 12' ABOVE THE PIERHEAD.

Applicant: TUCKER DIETER/ EDWARD COLE

Project Title: DIETER JOINT DOCK APPLICATION

Project Location: 251 & 255 EMERSON DRIVE
PAWLEYS ISLAND, GEORGETOWN COUNTY, SC

| Revisions | |
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| Date | Initials |
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Sheet Title: PROPOSED PLAN VIEW

Date : 08/02/06

Scale: 1" = 50'

Application #
Shc 2006-3288-31T

Sheet 4 of 7

NOT FOR
CONSTRUCTION

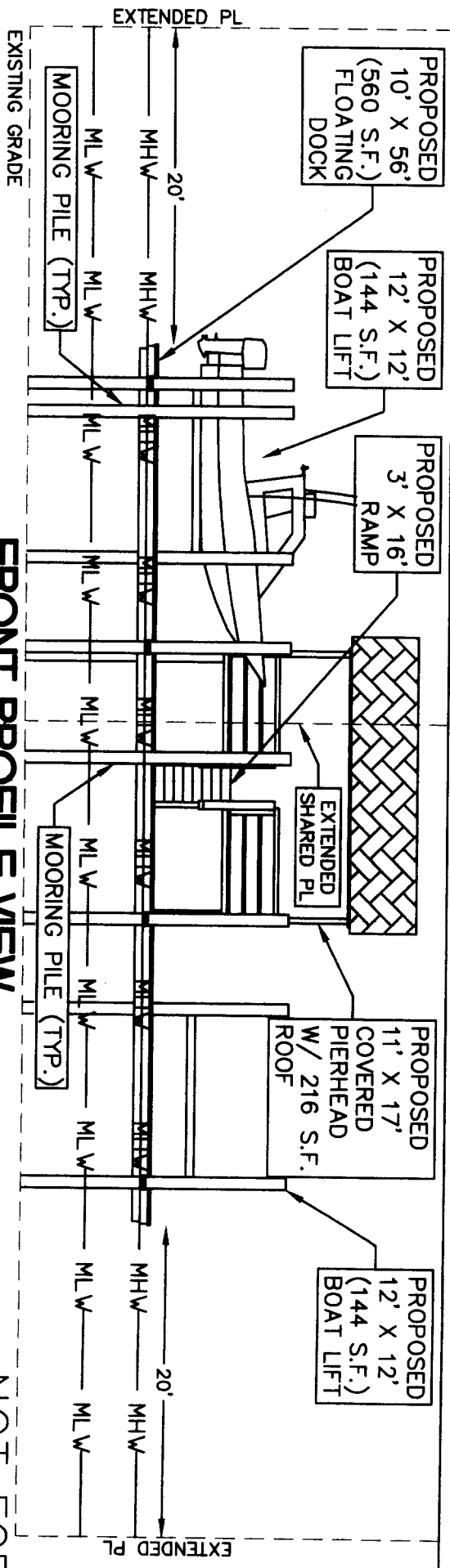
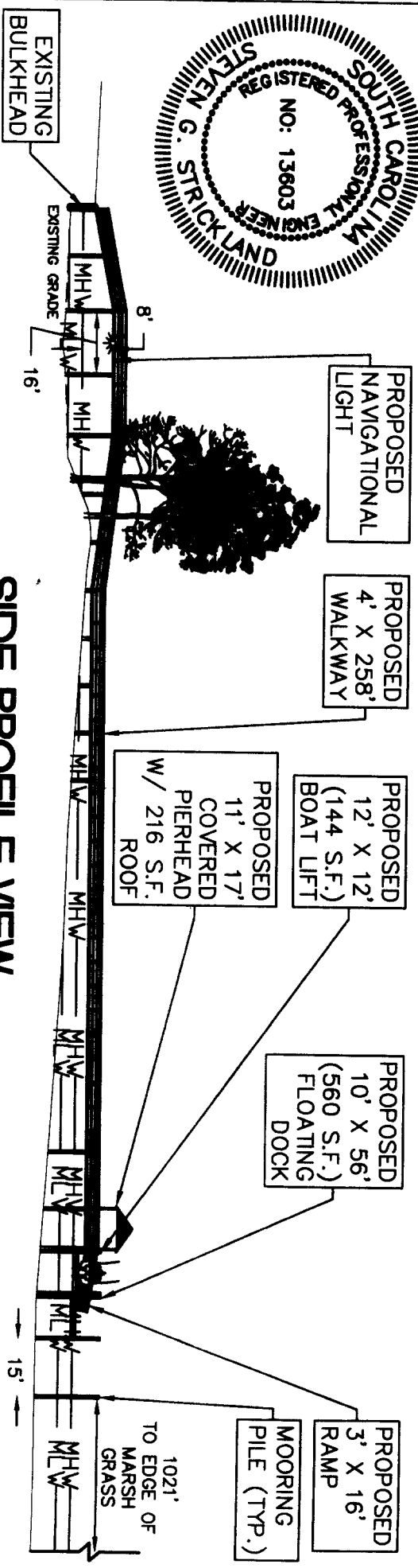
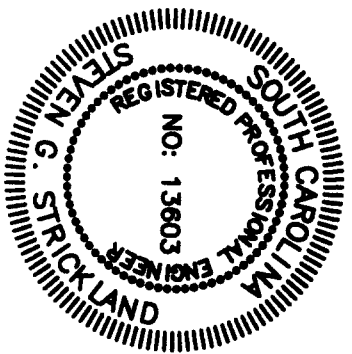
04-0205-004-00-00
MARGARET TARBOX
P.O. BOX 537
PAWLEYS ISLAND, SC 29585

04-0205-003-00-00
GAYLE & EDWARD COLE
251 EMERSON LOOP
PAWLEYS ISLAND, SC 29585

04-0205-002-00-00
TUCKER DIETER
255 EMERSON LOOP
PAWLEYS ISLAND, SC 29585

04-0205-001-00-00
WILLIAM MARTIN
257 EMERSON LOOP
PAWLEYS ISLAND, SC 29585





NOT FOR CONSTRUCTION

Applicant: TUCKER DIETER/ EDWARD COLE

Project Title: DIETER JOINT DOCK APPLICATION

**Project Location: 251 & 255 EMERSON LOOP
PAWLEY'S ISLAND, GEORGETOWN COUNTY, SC**

| Revisions | |
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Sheet Title: CROSS SECTION VIEW

Date: 08/02/06

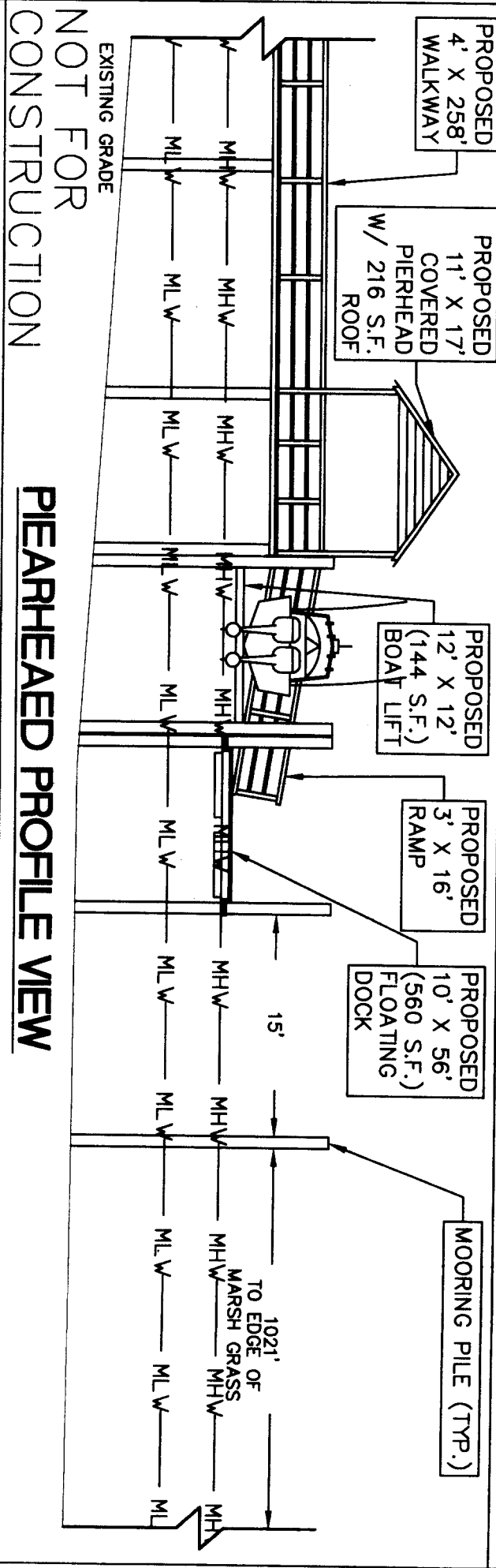
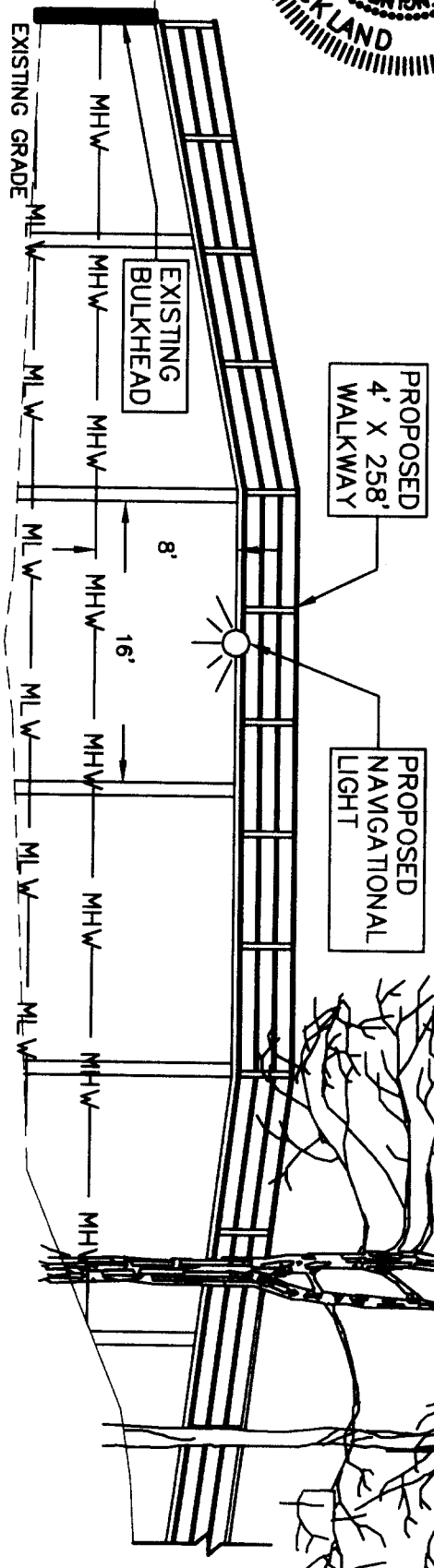
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Application # SAC# 2006-3288-3.1T

Sheet 5 of 7



BRIDGED WALKWAY PROFILE VIEW



NOT FOR
CONSTRUCTION

PIERHEAD PROFILE VIEW

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| Applicant: TUCKER DIETER/ EDWARD COLE | Revisions | | Sheet Title: CROSS SECTION VIEW |
| | Date | Initials | |

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| Project Title: DIETER JOINT DOCK APPLICATION | | |
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| Project Location: 251 & 255 EMERSON LOOP PAWLEYS ISLAND, GEORGETOWN COUNTY, SC | Application # 5AC B 2006-3288-31T | Scale: 1" = AS SHOWN Sheet 6 of 7 |
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WACCAMAW RIVER

1021'
TO EDGE
OF MARSHGRASS

EBB
FLOOD



MAN-MADE CANAL
FLOW
EBB

LEGEND:



OBSTRUCTION
TO NAVIGATION



UPLANDS



EXISTING
BULKHEAD



MLW

NOTES:

1. FLOATING DOCK WILL NOT REST ON THE BOTTOM DURING MLW
3. ROOF WILL BE CONSTRUCTED NO HIGHER THAN 12' ABOVE THE PIERHEAD.

Applicant: TUCKER DIETER/ EDWARD COLE

Project Title: DIETER JOINT DOCK APPLICATION

Project Location: 251 & 255 EMERSON DRIVE
PAWLEYS ISLAND, GEORGETOWN COUNTY, SC

| Revisions | |
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| Date | Initials |
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Sheet Title: DOCK CORRIDOR

Date: 08/02/06

Scale: 1" = 50'

Application #

Shc # 2006-3288-3.1T

Sheet 7 of 7

NOT FOR
CONSTRUCTION

